

# **EXHIBIT A**

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IN THE IOWA DISTRICT COURT FOR POLK COUNTY

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Law No. LACL 128273

ROBERT CLAUSS,  
Plaintiff,

ORIGINAL NOTICE

LEGEND SECURITIES, INC.,  
Defendant.

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TO THE ABOVE-NAMED DEFENDANT:

You are hereby notified that there is now on file in the Office of the Clerk of the above Court, a PETITION AT LAW, a copy of which is attached hereto.

The Plaintiff's attorney is Robert Clauss, 9923 Clark St., Clive, Iowa, 50325. That his telephone number is (515) 225-3665.

You are hereby notified that unless, within 20 days after service of this Original Notice upon you, you serve, and within a reasonable time thereafter file motion or answer, in the Iowa District Court for Polk County, at the County Courthouse in Des Moines, IA, judgment by default will be rendered against you for the relief demanded in the Petition. If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at 286-3843. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942).

CLERK OF THE ABOVE COURT  
Polk County Courthouse  
Des Moines, Iowa 50309

NOTE: The attorney who is expected to represent the Defendant should be promptly advised by Defendant of the service of this Notice.

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E-FILED 2013 JUL 24 2:09 PM POLK - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

ROBERT CLAUSS,  
Plaintiff,

: Law No. LACL 128273

vs.

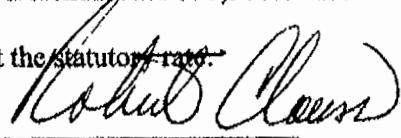
LEGEND SECURITIES, INC.,  
Defendant,

: PETITION AT LAW

COMES NOW the Plaintiff, attorney Robert Clauss and in support of his cause of action against the Defendant states to the Court as follows:

1. The Plaintiff is a resident of Polk County, Iowa.
2. The Defendant is a legal entity doing business in the State of New York.
3. Over the past several months, Defendant, through its agents, has contacted Plaintiff on nine (9) separate occasions all in violation of the Do Not Call provisions of the TCPA 47 U.S.C. 227 (b) (3), 16 CFR 310.4 (b)(111)(a), 47 CFR 64. 1200(c)(2).
4. Despite being repeatedly told by Plaintiff that he was on the Do Not Call list and that Defendant was calling Plaintiff at home on an off-limits number, Defendant has continued to call Plaintiff.
5. The TCPA provides for penalties of \$500.00 per violation plus treble damages per violation up to \$1500.00 per violation.
6. Defendant continued to call Plaintiff in violation of the statute despite numerous assurances by Defendant not to do so knowing Plaintiff is on the Do Not Call list.

WHEREFORE, Plaintiff prays for judgment against Defendant for \$13,500.00 for violations of the TCPA plus court costs including interest at the statutory rate.

  
Robert Clauss-Plaintiff  
9923 Clark St.  
Clive, Iowa 50325  
Telephone: 515-225-3665

**STATE OF IOWA JUDICIARY**

Case No. LACL128273

County Polk

Case Title ROBERT CLAUSS VS LEGEND SECURITIES, INC

**THIS CASE HAS BEEN FILED IN A COUNTY THAT USES ELECTRONIC FILING.**  
Therefore, unless the attached Petition and Original Notice contains a hearing date for your appearance, or unless you obtain an exemption from the court, you must file your Appearance and Answer electronically.

You must register through the Iowa Judicial Branch website at <http://www.iowacourts.state.ia.us/Efile> and obtain a log in and password for the purposes of filing and viewing documents on your case and of receiving service and notices from the court.

**FOR GENERAL RULES AND INFORMATION ON ELECTRONIC FILING, REFER TO THE IOWA COURT RULES CHAPTER 16 PERTAINING TO THE USE OF THE ELECTRONIC DOCUMENT MANAGEMENT SYSTEM:**  
<http://www.iowacourts.state.ia.us/Efile>

**FOR COURT RULES ON PROTECTION OF PERSONAL PRIVACY IN COURT FILINGS, REFER TO DIVISION VI OF IOWA COURT RULES CHAPTER 16:** <http://www.iowacourts.state.ia.us/Efile>

*Scheduled Hearing:*

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (515) 286-3394 . (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.)

Date Issued 07/24/2013 02:17:11 PM



District Clerk of Polk  
/s/ Jennifer Tietjen

County